



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

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JUL 25 1994  
SUPERFUND REMEDIATION DIVISION

July 20, 1994

Mr. Dean Fowler, Project Manager  
Spokane County Utilities Department  
1026 West Broadway  
Spokane, WA 99260

Dear Mr. Fowler:

**RE: Colbert Landfill - Downgradient Groundwater Monitoring  
and Operation Control Criteria - Penalties for Failure  
to Initiate and Develop**

This letter is a notice of potential violation. The Consent Decree requires Spokane County to initiate downgradient groundwater monitoring and develop operational control criteria for the purposes of evaluating the performance of the groundwater extraction system. Downgradient groundwater monitoring and control criteria are particularly critical because two extraction wells, CP-E4 and CP-W4, were not installed by the County due to access problems.

In a December 17, 1993 letter to the County, Ecology and the U.S. Environmental Protection Agency (EPA) emphasized the need for groundwater monitoring to determine the efficiency of contaminant capture in the County's computer-modeled system installed without CP-E4 and CP-W4.

In an April 7, 1994 letter to the County, a request was made to the County to begin development of a plan and schedule to meet the Consent Decree requirements for downgradient monitoring and control criteria.

In a June 14, 1994 letter to the County, another request was made for the development of a plan and schedule to meet the Consent Decree requirements.

To date, neither Ecology nor EPA has received any written plan or schedule from the County to initiate downgradient groundwater monitoring and develop control criteria for system performance evaluation. To date, the extraction system has been operating three months and has extracted between 50 and 100 million gallons of groundwater.

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EPA and Ecology require the County to submit a complete plan for downgradient groundwater monitoring for the development of control criteria by September 24, 1994. If the County does not submit a complete plan, Ecology and the EPA will seek the assessment of penalties from Spokane County under Section XXVI of the Consent Decree for failing to meet Consent Decree requirements.

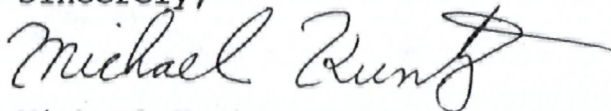
The written plan for review and approval by Ecology and the EPA must identify; the objectives of monitoring, the monitoring parameters, the frequency of monitoring, the specific type and level of analysis and evaluation, the format for reporting, the frequency of reporting, and the skill level of personnel involved in field and office work.

In addition, the written plan must identify how the monitoring data will be used to develop control criteria. The plan must also identify the objectives of control criteria, the criteria parameters, the frequency, type, and level of analysis and evaluation, the format for reporting, the frequency of reporting, and the skill level of personnel involved.

We are requesting that the County generate a conceptual plan for monitoring and developing control criteria. The County must submit this plan to Ecology and EPA for review before August 24, 1994.

We are willing to work closely with the County to establish by September 24, 1994, an approved plan to initiate downgradient monitoring and develop control criteria. However, we will seek penalties if this task is not completed. If you have any questions, please do not hesitate to contact Neil Thompson at (206) 553-7177 or me at (206) 407-7239.

Sincerely,



Michael Kuntz  
Project Manager  
Toxics Cleanup Program

MK:ln

cc: Neil Thompson, EPA Region X  
Dennis Scott, Spokane County  
Steve Thiele, AAG